

May 17, 2023

Hon. Peggy Kuo
United States Magistrate Judge
225 Cadman Plaza East
Brooklyn, New York 11201

Re: *Burks et al. v. Gotham Process Inc., et al.*, No. 20 Civ. 1001 (NLM)(PK)

Dear Judge Kuo:

We write jointly on behalf of Plaintiffs Jackie Burks, Brunilda Pagan Cruz, Venus Cuadrado, and the putative class (“Plaintiffs”); and Defendants Gotham Process, Inc. (“Gotham,”), Carl Bouton (“Bouton”), and Bassem Elashrafi (“Elashrafi”), collectively, “Process Server Defendants,” and with Plaintiffs, “the Parties”) to update the Court on our progress in memorializing the settlement in principle that we reached following the Settlement Conference in front of Your Honor on May 3, 2023.

We are pleased to report that we have finalized a settlement agreement memorializing the terms to which the Parties agreed on the day of the settlement conference; the Plaintiffs executed that document earlier today and we anticipate that the Process Server Defendants will also execute it shortly. Accordingly, the Parties jointly request that Your Honor cancel the status conference currently scheduled for June 2nd.

Following execution, Plaintiffs plan to quickly seek joint preliminary approval of both this settlement with the Process Server Defendants and Plaintiffs’ settlement with Defendant Mullooly, Jeffery, Rooney, & Flynn, LLP. However, Plaintiffs’ agreement with Mullooly, Jeffery, Rooney, & Flynn, LLP provides that Plaintiffs will file for preliminary approval no earlier than 35 days following the dismissal of the claims of deceased Named Plaintiff Rhonda Drye. We submitted a request and Proposed Order to Your Honor yesterday, and are eager for the Order to be entered, subject to Your Honor’s approval, so we can move as quickly as possible to file a request for preliminary approval with Judge Morrison, to facilitate providing the critical relief provided by the settlements to the Class. If Your Honor has any questions regarding yesterday’s request or the Proposed Order, we can make ourselves available at any time to speak further.

We are very grateful for the Court’s invaluable assistance in resolving this matter.

Respectfully submitted,

/s/ Jessica Ranucci

Jessica Ranucci
Counsel for Plaintiffs

cc: Jordan Sklar
Counsel for the Process Server Defendants